REMARKS/ARGUMENTS

In the non-final Office Action, all pending claims were rejected under 35 U.S.C 101 as being directed to a non-statutory process which is neither tied to a positively recited machine (or other statutory subject matter) nor directed to the transformation of any underlying physical subject matter to produce a useful, tangible, and concrete result.

That rejection is respectfully traversed. All pending claims recited (and now positively recite in the body of the claim or in the body of a referenced parent claim) a specific machine, namely a "computer processor", which is tied to one or more of the recited process steps. Moreover, all claims now explicitly recite one or more steps which produce a transformation of input data representative of a physical phenomenon ("digitized audio waveform") into a "coded output signal" representation thereof having a "reduced bitrate", which is clearly useful, tangible and concrete.

The claims were also rejected under 35 U.S.C 112, the examiner making specific reference to "step (g)" in claim 1, and concluding that an essential step (interpolatively coding of waveform signals) was omitted. In response, it is submitted "interpolative coding" was explicitly recited in the preamble of claim 1 and that the body of the claim was presented in the open-ended "comprising" format, whereby the claim reads on any and all interpolative coding schemes that otherwise meet the recited limitations. Indeed, as originally presented and as presently amended, claim 1 does not require that all of the labeled steps must be performed, or that they must be performed in any particular order, but only that the claimed method "comprises" at least one of those steps. In particular, the use of alphabetic labels to identify certain steps was only for convenient subsequent reference to a previously recited step and was never meant to imply that all those steps were essential, or that they must necessarily be performed in the listed order.

In any event, claim 1 now positively recites the step of "using the computer processor to transform the extracted slowly evolving waveform, the estimated dispersion phase,

the most probable pitch period and the quantized sequence of gain trajectory values into said interpolatively coded audio waveform output signal with said lower bitrate", and originally recited (and now redundant) step (g) has been deleted, so the "missing essential step" rejection of claim 1 is now moot.

The examiner made no specific "missing step" analysis of independent claims 12, 13, 15, 17, 19, 22, 30, and 32, and indeed not only do those other independent claims omit any step (g), at least some of them make no mention of any interpolation. In any event, for those claims which did recite "interpolative coding" in the preamble, it is now also recited in the body of the claim, but this is deemed a mere formality and no change of scope is intended. At the same time, a number of minor informalities in various dependent claims regarding antecedents and the like have been addressed and the original claim language clarified, but again, no change in scope is intended.

Respectfully submitted

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